

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants :Edith SORENSEN

Appl. No. : 10/582,079

Filed : June 8, 2006

Confirmation No. : 3993

For : A SOLID ORAL TOOTH WHITENING CONFECTIONARY COMPOSITION

REQUEST FOR REFUND

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop 16
Randolph Building
401 Dulany Street
Alexandria, VA 22314

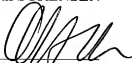
Sir :

Applicants respectfully request a refund in the amount of \$208.00 that was charged to Deposit Account No. 19-0089 on July 21, 2010 in connection with the filing of the Amendment under 37 C.F.R. 1.116 on July 19, 2010.

The basis of this Request for Refund is that the account was charged for 4 extra claims in excess of 20 upon filing the Amendment on July 19, 2010. However, Applicants had already paid for the additional claim fee on October 26, 2006, together with filing of the Supplemental Preliminary Amendment, a copy of which is attached hereto. Applicants also enclose a copy of our mailroom date-stamped filing receipt evidencing the filing of the same.

Please make payment of the refund to Deposit Account No. 19-0089.

Respectfully Submitted,
Edith SORENSEN



Neil F. Greenblum
Reg. No. 28394

Arnold Turk
Reg. No. 33094

October 6, 2010
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Edith SORENSEN

Group Art Unit: Unknown

Appln. No. : 10/582,079

(National Stage of International Application No. PCT/EP2004/013963)

Filed : June 8, 2006

Examiner: Unknown

For : A SOLID ORAL TOOTH WHITENING CONFECTIONARY
COMPOSITION

SUPPLEMENTAL PRELIMINARY AMENDMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Further to the Preliminary Amendment filed June 8, 2006, entry of the following
Supplementary Preliminary Amendment is respectfully requested.

Amendments to the Claims appear in the Listing of Claims beginning on page 2
of this Preliminary Amendment.

Remarks begin on page 7 of this Preliminary Amendment.

AMENDMENTS TO THE CLAIMS

The claims in this listing replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (Currently Amended) A solid oral tooth whitening lozenge composition comprising more than 75% by weight of solid materials, said composition comprising:

- a) a lozenge base,
- b) ~~conventional~~ lozenge additives, and
- c) a tooth whitening agent comprising calcium pyrophosphate.

2. (Currently Amended) [[A]] The composition according to claim 1 ~~in which~~ wherein said calcium pyrophosphate is present in an amount of between 0.1 and 10% by weight of the composition.

3. (Currently Amended) The composition according to claim 2 ~~in which~~ wherein said calcium pyrophosphate is present in an amount of between 0.5% and 9%, preferably between 1.0 % and 6.5 %, ~~even more preferably between 1.5 % and 4.0 %~~, by weight of the composition.

4. (Currently Amended) The composition according to claim 1 ~~in which~~ wherein said ~~conventional~~ lozenge ingredients additives comprise ~~one or more~~ at least one of the following: sweeteners, high intensity sweeteners, taste enhancers, ~~flavouring~~ flavoring agents, ~~colouring~~ coloring agents.

5. (Currently Amended) The composition according to claim 1 ~~in which~~ wherein said composition is essentially sugar-free.

6. (Currently Amended) The composition according to claim 1 comprising ~~one or more~~ at least one additional tooth whitening agents agent.

7. (Currently Amended) The composition according to claim 6 ~~in which~~ wherein said at least one additional tooth whitening agent~~(s)~~ is~~are~~ agent is present in between 0.01% and 5.0%, ~~more particularly between 0.05 and 1.0%, most preferably between 0.1% and 0.5%~~ by weight of the composition.

8. (Currently Amended) The composition according to claim 6 ~~in which~~ wherein said at least one additional tooth whitening agent comprises a bicarbonate salt.

9. (Currently Amended) The composition according to claim 8 ~~in which~~ wherein said at least one additional tooth whitening agent comprises sodium bicarbonate, said agent being present in between 0.1% and 0.5% by weight of the composition.

10. (Currently Amended) The composition according to claim 1 ~~in which~~ wherein at least one of said additives ~~and/or~~ and said tooth whitening agents ~~are~~ agent is encapsulated.

11. (Currently Amended) The composition according to claim 1 further comprising ~~one or more~~ at least one of the following: oral hygiene promoting agents, anti-calculus agents, anti-microbial agents, anti-inflammatory agents, ~~desensitising~~ desensitizing agents, therapeutically active agents, and remineralising remineralizing agents.

12. (Previously Presented) The composition according to claim 1 further comprising a supplement.

13. (Currently Amended) The composition according to claim 12 ~~in which~~ wherein said supplement comprises vitamin C.

14. (Currently Amended) The composition according to claim 11 ~~in which~~ wherein

said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.1% and 25%, particularly between 0.4% and 10%, preferably between 0.6% and 5.0%, more preferably between 0.7% and 3.5%, even more preferably between 0.8% and 2.5% by weight of the composition.

15. (Previously Presented) The composition according to claim 1 in the form of hard-boiled lozenges.

16. (Currently Amended) A use of method whitening tooth surfaces comprises applying a composition according to claim 1 to whiten tooth surfaces.

17. (Currently Amended) A use of a composition The method according to claim 4 to whiten tooth surfaces, 16 wherein said tooth surfaces being discoloured after use of are discolored by red wine or related products.

18. (Currently Amended) A use of a composition The method according to claim 4 to whiten tooth surfaces, 16 wherein said tooth surfaces being discoloured after use of are discolored by coffee-related products.

19. (Previously Presented) A method of whitening tooth surfaces by consuming a solid, oral tooth whitening lozenge composition according claim 1.

20. (Currently Amended) A method of whitening tooth surfaces by consuming a solid oral tooth whitening lozenge composition according to claim 1, said tooth surfaces being discoloured discolored after use of red wine or related products.

21. (Currently Amended) A method of whitening tooth surfaces by consuming a solid oral tooth whitening lozenge composition according to claim 1, said tooth surfaces being discoloured discolored after use of coffee-related products.

22. (New) The composition according to claim 3 wherein said calcium pyrophosphate is present in an amount of between 1.0 % and 6.5 % by weight of the composition.

23. (New) The composition according to claim 3 wherein said calcium pyrophosphate is present in an amount of between 1.5 % and 4.0 % by weight of the composition.

24. (New) The composition according to claim 7 wherein said at least one additional tooth whitening agent is present in between 0.05 and 1.0% by weight of the composition.

25. (New) The composition according to claim 7 wherein said at least one additional tooth whitening agent is present in between 0.1% and 0.5% by weight of the composition.

26. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.4% and 10% by weight of the composition.

27. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.6% and 5.0% by weight of the composition.

28. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.7 % and 3.5% by weight of the composition.

29. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.8 % and 2.5% by weight of the composition.

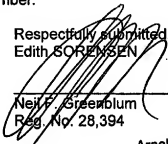
REMARKS

The Examiner is respectfully requested to enter the foregoing amendment prior to examination of the above-identified patent application which places the claims more in accordance with idiomatic English and standard U.S. practice.

The amendment has not been made to overcome the prior art, and thus, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Edith SORENSEN



Neil F. Greenblum
Reg. No. 28,394

October 26, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Arnold Turk
Reg. No. 33094



GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

10/26/2006

File In: M4/1000

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- (X) Amendment Supplemental Preliminary
() Executed Assignment and cover letter
() Executed S.E.S. () S.E.S. Assertion
() Req. for Ext. of Time
(X) Fee Filing (X)
 Recording ()
 Issue ()
 Extension ()
 Publication ()
() Fee Transmittal
() Maintenance Fee Payment
() PTOL-85B Issue Fee & Publication Fee
 (with Copy)
() Cover Letter Regarding Drawings
() Design Patent Application Transmittal
() Utility Patent Application Transmittal
() Provisional Application Cover Sheet
() Request for Continued Examination
 (RCE) including Submission
() Cover Letter
() Credit Card Payment for \$
 (Form PT0-2038)
(X) Check No. 59072 for \$ 400.00
() Rule 53b and 53f Letter for
 Unexecuted Application
() Application Data Sheet
() Claim of Priority & Certified
 Copy of _____
() Declaration () Executed
 () Unexecuted
 () Copy from parent
(X) Transmittal Letter
(X) Patent Application
 () Provisional () Reexam
 () Reissue () Design
 () Continuation () CIP
 () Divisional
 _____ pages (w/abstract)
 _____ claims _____ independent
 _____ sheets of drawings
 _____ figures
(X) I.D.S. form PT0-1449 &
 Documents () as attached
 (X) as listed on
 reverse
() One self-addressed postcard
() Certification under 1.97(e)
() Certificate of Mailing (C-O-M)
() Returned Envelope

In the matter of : A SOLID ORAL TOOTH WHITENING CONFECTIONARY
COMPOSITION

Applicant : Edith SORENSEN et al.

Application No. : 10/582,079

Filed : 6/08/06

Patent No. :

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